

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0142

FILED

JUN 23 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANAKATHY HEFFERNAN, ROBIN CAREY, DAVID  
HARMON, and NORTH DUNCAN DRIVE  
NEIGHBORHOOD ASSOCIATION, INC.,

Plaintiffs, Petitioners, and Appellees,

v.

MISSOULA CITY COUNCIL, CITY OF MISSOULA,  
and JOHN ENGEN, Mayor,

Defendants, Respondents, and Appellants,

v.

MUTH-HILLBERRY, L.L.C.,

Intervenor-Defendant and Appellant.

O R D E R

The Montana Association of Realtors, Inc., has filed an unopposed motion to be allowed to file an amicus curiae brief in this appeal. Counsel states the proposed amicus brief could be filed on or before the July 15, 2010, filing deadline for Appellants' opening brief.

IT IS ORDERED that the motion to be allowed to file an amicus curiae brief is GRANTED. The Montana Association of Realtors, Inc., shall prepare, file, and serve its amicus brief no later than July 15, 2010.

The Clerk is directed to provide copies of this Order to all counsel of record.

DATED this 23 day of June, 2010.

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 Chief Justice

W. William Rappert

James S.

Michael W. Rappert

Brian M. Rappert

Justices